

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

IN RE:)	CHAPTER 11
)	
LAPRADE’S MARINA, LLC)	CASE NUMBER: 15-20697
)	
Debtor.)	
)	

APPLICATION TO EMPLOY SCHREEDER, WHEELER & FLINT, LLP AS
COUNSEL FOR THE DEBTOR

COMES NOW LaPrade’s Marina, LLC, the debtor and debtor in possession in the above-captioned case (the “Debtor”), and in accordance with the provisions of 11 U.S.C. § 327, moves this court for an order permitting it to employ the law firm of Schreeder, Wheeler & Flint, LLP as counsel for the Debtor and in support thereof show this Court as follows:

1.

Debtor filed a petition for relief under Chapter 11 of the United States Bankruptcy Code on April 6, 2015. No trustee has been appointed and Debtor is operating its business as a debtor-in-possession.

2.

Debtor wishes to employ Schreeder, Wheeler & Flint, LLP as counsel to represent it in this bankruptcy proceeding at its standard hourly rates, as such may

change from time to time. The hourly rates for the legal professionals that are likely to work on this matter are as follows:

John A. Christy \$450

Kelly L. Walsh \$245

J. Carole Thompson Hord \$335

Lawton W. Jordan \$110

3.

Schreeder, Wheeler & Flint, LLP has offices located at 1100 Peachtree Street, N.E., Suite 800, Atlanta, Georgia 30309-4516. The attorneys of Schreeder, Wheeler & Flint, LLP are experienced, qualified and competent to represent the Debtor in this proceeding. The attorneys of Schreeder, Wheeler & Flint, LLP are qualified to practice in the United States Bankruptcy Courts in Georgia and have the experience necessary to represent the Debtor in this case.

4.

In order for Debtor to maintain its business and property in the pending case in this Court, it will be necessary for Debtor to retain attorneys to provide various professional services. Among the services to be rendered are:

(a) Preparation of pleadings, schedules and statements of financial affairs, adversary proceedings and applications incidental to administering the Estate;

(b) Development of the relationship and status of debtor-in-possession and handling of claims of creditors in these proceedings, all in the best interests of the Debtor, creditors and other interested parties;

(c) Advising the debtor-in-possession of its rights, duties and obligations as a debtor-in-possession;

(d) Performing legal services incidental and necessary to the day-to-day operation of the Debtor including, but not limited to, institution and prosecution of necessary legal proceedings, loan restructuring, general business, corporate and legal advice and assistance necessary to the proper preservation and administration of this Estate;

(e) Taking any and all necessary actions incident to the proper preservation and administration of the Debtor and to the conduct of its business;

(f) Preparing a plan of reorganization and disclosure statement; and

(g) Providing post-confirmation legal services in connection with implementation of the plan.

5.

Except as disclosed in connection with the motion, Schreeder, Wheeler & Flint, LLP is a disinterested party as contemplated by 11 U.S.C. § 101(14), and to the best of Debtor's knowledge, said attorneys represent no interest adverse to the Debtor

as to matters upon which said attorneys are being engaged by the Debtor, and its appointment will be in the best interest of the estate. Other than as disclosed in the Statement of Disinterestedness filed herewith, Schreeder, Wheeler & Flint, LLP has no connection with the Debtor, creditor or any other party in interest, the respective attorneys and accountants, judge of this Court, the United States Trustee or any person employed by the United States Trustee except that Debtor wishes to retain Schreeder, Wheeler & Flint, LLP to represent the Debtor as counsel in this case.

WHEREFORE, Debtor requests this Court to enter an Order in accordance with the provisions of 11 U.S.C. § 327 permitting it to employ Schreeder, Wheeler & Flint, LLP as counsel for the Debtor.

This 24th day of April, 2015.

/s/ John A. Christy
JOHN A. CHRISTY
Georgia Bar 125518
jchristy@swfllp.com
J. CAROLE THOMPSON HORD
Georgia Bar. 291473
chord@swfllp.com

Proposed Attorneys for Debtor

SCHREEDER, WHEELER & FLINT, LLP
1100 Peachtree Street, N.E., Suite 800
Atlanta, Georgia 30309-4516
Tel: (404) 681-3450
Fax: (404) 681-1046

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STATEMENT OF DISINTERESTEDNESS PURSUANT TO 11 U.S.C. § 327
AND BANKRUPTCY RULES 2014 AND 5002

STATE OF GEORGIA

COUNTY OF FULTON

Personally appeared before the undersigned officer duly authorized to administer oaths comes John A. Christy, who, after being duly sworn, does hereby depose and state on oath as follows:

1.

My name is John A. Christy and I am a partner of Schreeder, Wheeler & Flint, LLP (“SWF”) and this affidavit is being made upon my personal knowledge.

2.

SWF is a “disinterested person”, as defined by 11 U.S.C. § 101(14), with respect to the above mentioned Debtor.

3.

SWF represents no interest adverse to the Debtor as to matters upon which it has been engaged by the Debtor. The appointment of SWF as Debtor's counsel is in the best interest of the Estate. Except as disclosed herein, in its application and in its disclosure of compensation, the members of SWF have no connection with the Debtor, any creditor, the respective attorneys and accountants, the United States Trustee or any persons employed by the United States Trustee, any judge of this Court or any person employed by a judge of this Court, or any other party in interest.

4.

SWF discloses that it has previously represented the Debtor's manager, Peter Anzo, and an employee, Christina Anzo, in personal matters but is not currently representing them in any matters. SWF has previously represented entities affiliated with Peter Anzo, but is not presently representing any of them other than the Debtor. SWF will not represent Peter Anzo, Christina Anzo or any entities affiliated with them in this bankruptcy action. The Debtor was also indebted to SWF for prepetition services which SWF has agreed to waive and will not be pursued in this case.

[Signature Appears on Following Page]

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/s/John A. Christy
JOHN A. CHRISTY
Georgia Bar No. 125518
Proposed Attorney for Debtor

Sworn to and subscribed before me
this 24th day of April, 2015.

/s/ Erin Morris
NOTARY PUBLIC

[NOTARIAL SEAL]

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DISCLOSURE OF COMPENSATION FOR SERVICES RENDERED
PURSUANT TO BANKR. R. 2014

COMES NOW the law firm of Schreeder, Wheeler & Flint, LLP and pursuant to the provisions of Rule 2014 of the Rules of Bankruptcy Procedure, hereby makes the following disclosure of compensation for services.

1.

The law firm of Schreeder, Wheeler & Flint, LLP was paid a retainer for services to be rendered in connection with this Chapter 11 case in the amount of \$42,380.85. The retainer was paid by the Debtor.

2.

Schreeder, Wheeler & Flint, LLP has not been promised any guaranteed future payment for services by the Debtor. The Debtor has agreed to pay Schreeder, Wheeler & Flint, LLP at its standard hourly rates upon approval of this Court for the services rendered to the Debtor.

3.

The compensation to be paid to Schreeder, Wheeler & Flint, LLP is not to be shared between Schreeder, Wheeler & Flint, LLP and any other entities.

This 24th day of April, 2015.

/s/ John A. Christy

JOHN A. CHRISTY

Georgia Bar 125518

jchristy@swfllp.com

J. CAROLE THOMPSON HORD

Georgia Bar No. 291473

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Proposed Attorneys for Debtor

SCHREEDER, WHEELER & FLINT, LLP

1100 Peachtree Street, N.E.

Suite 800

Atlanta, Georgia 30309-4516

(404) 681-3450

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CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the within and foregoing APPLICATION TO EMPLOY SCHREEDER, WHEELER & FLINT, LLP AS COUNSEL FOR THE DEBTOR, STATEMENT OF DISINTERESTEDNESS PURSUANT TO 11 U.S.C. § 327 AND BANKRUPTCY RULES 2014 AND 5002 and DISCLOSURE OF COMPENSATION FOR SERVICES RENDERED PURSUANT TO BANKR. R. 2014 via the ECF system or by placing a copy of the same in the United States Mail, with sufficient postage thereon to insure delivery on the attached Master Service List.

This 24th day of April, 2015.

/s/ John A. Christy

John A. Christy

Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street, N.E.
Suite 800
Atlanta, Georgia 30309

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MASTER SERVICE LIST

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HHE Partnership LP
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Lake Perry Marina, LP
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Mark Lipsey
1403 Churchill Downs Drive
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Michael Lipsey
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Rabun County Tax Commissioner
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